

Remarks/Arguments

Applicant's attorneys thank Examiner Ayres for the time and courtesy extended during a personal interview conducted on Thursday October 21, 2010 at the United States Patent and Trademark Office (USPTO). The following remarks reflect the agreement made during the noted interview.

Operation of the seal of the present application depends on the resilience of the material making up the seal, the magnetic force applied by a magnetic strip associated with the seal and the state of closure of the drawer for which the seal is being used. The state of closure of the drawer between closed and open determines the degree of alignment of the sealing loop on the lid and the sealing loop on the drawer and the alignment of the sealing loops determines the aggregate magnetic attraction between the seal and the drawer. The seal is shown in Fig. 5, as being on the lid; however, the seal can alternately be on the drawer or on both the lid and the drawer.

In approximate terms, the aggregate force of attraction halves soon after the drawer has been opened because the front and rear sections of the respective sealing loops come out of mutual alignment. This characteristic is exploited by the seal of the present application by selecting the resilience of the seal to bias the magnetic element of the seal away from the opposing sealing surface. The seal may be further designed such that this resilience overcomes the weakened aggregate magnetic attraction when the sealing loops as a whole are misaligned but is itself overcome by the stronger aggregate magnetic attraction when the sealing loops as a whole are aligned. In this way, the area of contact between the seal parts can be reduced or eliminated when the drawer is not fully closed, especially where freedom of movement is required during opening and closing, and conversely can be maximized when the drawer is fully closed and hence sealing is required. In other words, the seal can be arranged to extend into

full sealing contact with an opposed sealing surface when the drawer is fully closed and to retract into lesser sliding contact, or possibly even entirely out of contact, with the opposed sealing surface when the drawer is at other positions, for example when being opened or closed.

Upon drawer opening, the corners linking successive sections of the seal are first to release. Thus, the front and rear edges of the lateral portions of the seal, i.e., the portions of the seal that extend in the direction of drawer movement, release and effectively peel the neighboring sections of the seal progressively away from the opposed sealing surface as the drawer is opened. This peeling action also reduces distress to the seal and the effort required to open the drawer but without prejudicing the sealing integrity of the seal when the drawer is closed.

It is applicant's attorneys' understanding that with this understanding of seal operation including the peeling action of the seal during drawer opening, which is fully supported in the application as filed, see for example paragraphs [0068] and [0078], that claim 28 as currently pending and all claims that depend from claim 28 fully comply with all requirements of 35 U.S.C. §112 and distinguish over all prior art of record in the present application.

In view of the above remarks, it is respectfully submitted that claim 28, and claims 30-39 and 43-51 that depend from claim 28, are in condition for allowance. Accordingly, applicant requests reconsideration of the application and allowance of all pending claims, claims 28, 30-39 and 43-51.

Serial No. 10/570,809
Docket No. KEL 036 PA

Applicant's attorneys again thank Examiner Ayres. If the present amendment raises any questions or Examiner Ayres believes that a further interview is needed to address any remaining issues in the present application, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,
STEVENS & SHOWALTER, L.L.P.

By /Richard C. Stevens/
Richard C. Stevens
Registration No. 28,046

7019 Corporate Way
Dayton, OH 45459-4238
Telephone: (937) 438-6848
Facsimile: (937) 438-2124
E-mail: rcstevens@speakeasy.net
C:\A-Work\Kel-595\Am\Kel034\kel036pa.am for 06-06-10 oa.doc

November 2, 2010

[0069] In summary, then, the aggregate magnetic attraction between the sealing loops peaks when the sealing loops are fully aligned, as occurs when a drawer is fully closed with respect to a fixed lid or vice versa. When the sealing loops are not fully aligned, which is the case throughout substantially all of the range of movement of the drawer or lid other than when fully closed, the aggregate magnetic attraction between them decreases markedly.

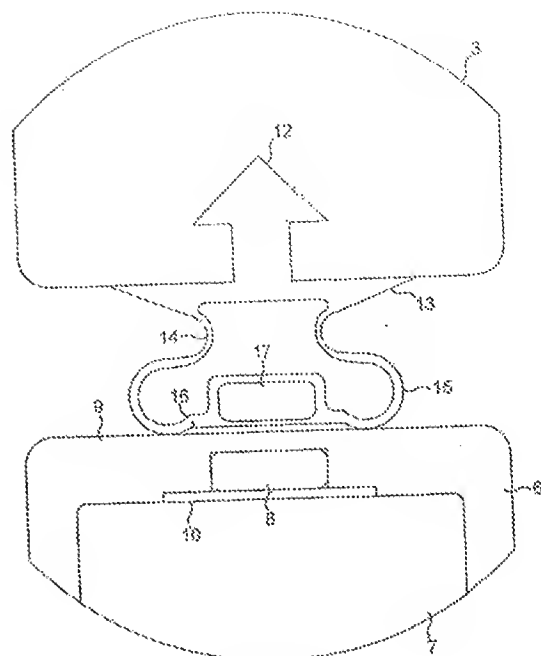


FIG. 3

[0078] Further, it has been explained above in relation to FIGS. 1(a) to 1(d) that the aggregate magnetic attraction between the lid seal 4 and the sealing surface 5 depends upon the degree of alignment of those sealing loops. In approximate terms, the aggregate force of attraction halves soon after the drawer has been opened because the front and rear sections of the respective sealing loops come out of mutual alignment. The Applicant has realised, somewhat counter-intuitively, that this characteristic can be enabled and exploited by designing a magnetic seal to have resilience that biases the magnetic element of that seal away from the opposing sealing surface. The seal may be further designed such that this resilience overcomes the weakened aggregate magnetic attraction when the sealing loops as a whole are misaligned but is itself overcome by the stronger aggregate magnetic attraction when the sealing loops as a whole are aligned. In this way, the area of contact between the seal parts can be reduced or eliminated when the drawer is not fully closed, especially where freedom of movement is required during opening and closing, and conversely can be maximised when the drawer is fully closed and hence sealing is required. In other words, with careful design, a seal can be arranged (i) to extend into full sealing contact with an opposed sealing surface when the drawer is fully closed and (ii) to retract into lesser sliding contact, or possibly even entirely out of contact, with the opposed sealing surface when the drawer is at other positions, for example when being opened or closed.

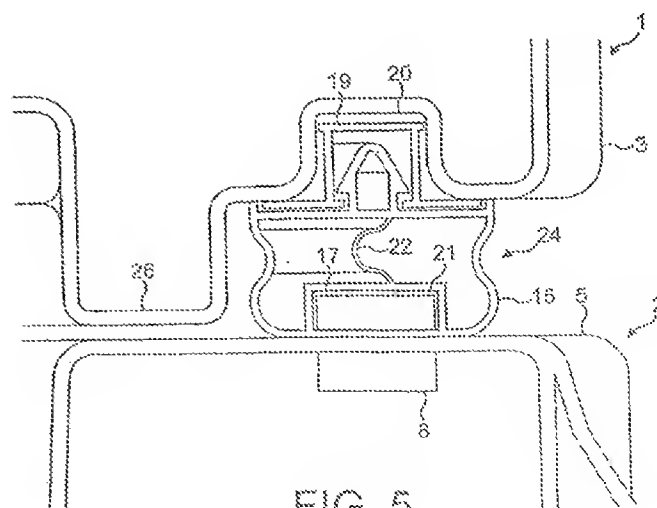


FIG. 5